

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

UNITED STATES OF AMERICA

*

CRIMINAL NO. 2:09-CR-024

v.

*

SECTION: A(5)

EVA BAPTISTE

*

VIOLATION: 18 U.S.C. § 641

* * *

FACTUAL BASIS

_____The Defendant, **EVA BAPTISTE** (hereinafter “**BAPTISTE**”) has agreed to plead guilty as charged to the one-count bill of information charging her with theft of government funds in violation of Title 18, United States Code, Section 641. Should this matter have gone to trial, the government would have proven, through the introduction of competent testimony and admissible, tangible exhibits, the following facts, beyond a reasonable doubt, to support the allegations in the bill of information now pending against the defendant:

Representatives of the State of Louisiana and the United States Department of Housing and Urban Development (“HUD”) would testify that after Hurricanes Katrina and Rita made landfall in Southeastern Louisiana on August 29, and September 24, 2005, respectively, the Congress of the United States of America, with the concurrence, signature, and agreement of the President of the United States, passed an act appropriating government funds to HUD for a Community Development

Block Grant (“CDBG”) for Louisiana hurricane victims. The purpose of this CDBG was to assist and aid owners of property damaged or destroyed by Hurricanes Katrina and Rita in August and September of 2005. The grant money was disbursed under a program known as the Louisiana Road Home Program (the “LRHP”). HUD prepared the rules and regulations governing the disbursement of grant money through the State of Louisiana. The State of Louisiana, through the Office of Community Development, Division of Administration, contracted with ICF International, Inc. (“ICF”) to administer the LRHP. To qualify for the LRHP, homeowners had to have owned and used the affected property as their primary residence at the time of the hurricanes, along with other requirements concerning the size and amount of damage. Eligible homeowners affected by the hurricanes could receive up to \$150,000.00 in compensation for their losses to their primary residence.

On or about October 17, 2005, **BAPTISTE** applied for LRHP financial assistance based on damage suffered as a result of Hurricane Katrina to a residence located at 3301 North Roman Street, New Orleans, Louisiana. In her LRHP application, **BAPTISTE** claimed this address of 3301 North Roman Street, New Orleans, Louisiana, as her primary residence as of the date of Hurricane Katrina. As a result of this LRHP application, **BAPTISTE** received a total disbursement of \$63,192.91 in LRHP funds. Two years later, on or around July 6, 2007, **BAPTISTE** submitted a second LRHP application, this time claiming the address of 1525 Lesseps Street in New Orleans, Louisiana, as her primary residence. Based on this application, **BAPTISTE** received approximately \$110,420.00 in LRHP funds.

An ICF representative would testify that in reviewing the documentation provided by **BAPTISTE** to the LRHP, **BAPTISTE** claimed both addresses, *i.e.* 3301 North Roman Street, New

Orleans, Louisiana, and 1525 Lesseps Street, New Orleans, Louisiana, as her primary residence. Included in her LRHP applications were signed certifications by **BAPTISTE** acknowledging that any false information provided in the application could result in civil and criminal penalties. The closing documents for both LRHP applications that would be introduced into evidence reflect that she received \$63,192.91 for her first LRHP application and \$110,420.00 for her second LRHP application via the HUD grant that was used to fund the Louisiana Road Home Program.

Agents from the Department of Housing and Urban Development, Office of Inspector General (“HUD-OIG”) would testify that they obtained and reviewed a third LRHP application for the residence located at 1525 Lesseps Street in New Orleans, Louisiana that was submitted prior to **BAPTISTE**’s LRHP applications. The agents would testify that they interviewed the applicant for this third LRHP application, who confirmed that 1525 Lesseps Street, New Orleans, Louisiana, was the primary residence of that applicant as of the date of the storm. Additionally, this applicant stated that she knew **BAPTISTE** and that **BAPTISTE** was residing at 3301 North Roman Street in New Orleans, Louisiana, as of the date of Hurricane Katrina. Neighbors interviewed by HUD-OIG agents near the residence located at 1525 Lesseps Street in New Orleans, Louisiana, also confirmed that **BAPTISTE** was not residing at that address as of the date of the storm. These neighbors would also be called to testify as to these facts. Additionally, documents, including utility and water bills for the year 2005, would be introduced into evidence to reflect that 1525 Lesseps Street in New Orleans, Louisiana was not **BAPTISTE**’s primary residence.

In October 2008, HUD-OIG agents interviewed **BAPTISTE** regarding her multiple LRHP applications. In the interview, **BAPTISTE** confessed that 1525 Lesseps Street, New Orleans, Louisiana, was not her primary residence as of the date of Hurricane Katrina and that she falsely

applied for these additional LRHP funds for her own use or for the use of another. **BAPTISTE** conceded that the information she had provided to the LRHP in her application for the residence located at 1525 Lesseps Street in New Orleans, Louisiana, was knowingly false.

BAPTISTE's Louisiana Road Home Program applications, as well as documents generated by the Program and ICF, would be introduced into evidence through competent testimony to further demonstrate the facts stated above.

MATTHEW S. CHESTER
Assistant United States Attorney
Texas Bar No. 24045650

Date

EVA BAPTISTE
Defendant

Date

ROMA KENT
LA Bar Roll No. _____
Attorney for the Defendant

Date